

## UNITED STATES DISTRICT COURT

for the

District of Nebraska

United States of America

v.

Alfred Eugene Finch

Case No: 4:09CR3053

USM No: 22795-047

Date of Original Judgment: 01/06/2010

Date of Previous Amended Judgment:

(Use Date of Last Amended Judgment if Any)

David R. Stickman, Federal Public Defender

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 78 months is reduced to 60 months.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated 01/06/2010 shall remain in effect.

IT IS SO ORDERED.

Order Date: 11/14/2011

s/ Richard G. Kopf, United States District Judge

Judge's signature

Effective Date: 11/14/2011

(if different from order date)

Richard G. Kopf, United States District Judge

Printed name and title

**This page contains information that should not be filed in court unless under seal.**  
**(Not for Public Disclosure)**

Alfred Eugene Finch

DEFENDANT: \_\_\_\_\_

CASE NUMBER: 4:09CR3053

DISTRICT: District of Nebraska

**I. COURT DETERMINATION OF GUIDELINE RANGE (*Prior to Any Departures*)**

Previous Total Offense Level: 26

Amended Total Offense Level: 20

Criminal History Category: III

Criminal History Category: III

Previous Guideline Range: 78 to 97 months

Amended Guideline Range: 60 to 60 months

**II. SENTENCE RELATIVE TO THE AMENDED GUIDELINE RANGE**

- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a substantial assistance departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ The reduced sentence is above the amended guideline range.

**III. ADDITIONAL COMMENTS**

Filings 123 (motion) and 124 (stipulation) are granted.